

**From:** [REDACTED] (COMM)  
**Sent:** 20 June 2018 17:03  
**To:** [REDACTED]  
**Cc:** VANDYSTADT Nathalie (COMM)  
**Subject:** RE: Copyright

3

Hi [REDACTED]

As discussed, here some on the record quotes you can use (attributable to Nathalie). Please let us know if you need more:

- The Commission presented the copyright modernisation package in September 2016 to make sure that consumers and creators can make the most of the digital world. This file is a key element for completing the Digital Single Market. The legislative proposals will help European creative and copyright industries to flourish and European authors to better reach new audiences in a fairer copyright marketplace.
- The Commission's proposal is balanced and puts a big emphasis on freedom of expression as well as the interests of the European creators aiming for a fairer and sustainable marketplace for the creative industries and the press, while ensuring that online platforms – 7000 are European – can develop new and innovative offers and business models.
- We want to underline that it is essential to strike the right balance in the copyright rules in protecting authors and creators while not curbing freedom of expression and the capacity for online economy to grow in the EU. These rules were designed for a rapidly developing online environment. We need this modernisation for all players, creators, authors, consumers and platforms alike.

Article 11:

- The Commission has proposed a new related right for press publishers for the use of their publications in digital environments. This will strengthen the bargaining position of publishers when they negotiate the use of their content with online players.
- Some controversy has arisen around this article as installing a "hyperlink tax". This is not the case. The Commission made clear in its proposal that the proposed publishers' right will not affect people's ability to link to newspapers websites online.

On hyperlinks and snippets also check this from January 2017:

<https://twitter.com/DSMeu/status/817379954702827520>

Article 13:

- We aim to reinforce the position of right holders to negotiate and be remunerated for the online use of their content on online platforms.
- We ask the platforms which store and provide access to large amounts of user-uploaded content to put in place effective and proportionate measures applying available technologies that allow them, in partnership with the right holders, to implement the agreements reached on the use of copyright-protected content, or to prevent the dissemination of infringing content if the right holders prefer so.
- Article 13 of the proposed EU Copyright Directive is a targeted and proportionate intervention which addresses a specific problem related to operators giving access to large amounts of unauthorised works. It does not limit access to copyright exceptions or free speech on user generated platforms.
- Our proposal is not targeting users and their possibility to upload content; it addresses platforms with large amounts of user-uploaded content which they financially profit on and who have become major sources of access to copyright protected content.
- The primary objective of Article 13 is to allow online content creators and other rightholders to negotiate with online services and content distributors how their work is used and shared online. The aim is to enable creators and the copyright industries to better control the use made of their content by platforms distributing user-uploaded content and to be fairly remunerated for such uses.

Let us know if you have any specific questions.

Best,

[REDACTED]

[REDACTED]

[REDACTED]

Please note that the information contained in this mail cannot be quoted in my name

-----Original Message-----

From: [REDACTED]

Sent: Wednesday, June 20, 2018 4:06 PM

To: [REDACTED] (COMM)

Cc: VANDYSTADT Nathalie (COMM)

Subject: Copyright

Hi [REDACTED]

as discussed if you could send me some on the record language about art. 11 and 13 under these angles:

- users
- publishers
- artists/authors

Many thanks!

[REDACTED]

Sent from my iPhone